

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 19, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
John B. Kelso, Lee District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Alvin L. Thomas, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John M. Palatiello, Hunter Mill District

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The meeting was called to order at 8:33 p.m. by Chairman Peter F. Murphy, Jr.,

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COMMISSION MATTERS

Given the advent of winter, Chairman Murphy announced that in the event of inclement weather he would decide between 2:00 p.m. and 3:00 p.m. on meeting dates whether or not the Planning Commission would hold their scheduled session.

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Commissioner Alcorn reviewed the agenda for the Residential Development and Infill Committee and said that community forums were scheduled to be held in each Supervisory District February 8 through March 21, 2000. He said information on the these forums would be circulated to all members of the Commission. Commissioner Alcorn added that the Committee would meet again on Thursday, January 27, 2000.

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With much regret, Chairman Murphy noted that tonight would be Commissioner Thomas' final meeting after having served on the Planning Commission for 16 years. Chairman Murphy thanked him for his long and faithful service and said that he would be sorely missed. Commissioners Koch, Byers, Harsel and Downer joined Chairman Murphy with their own tributes to Commissioner Thomas.

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Commissioner Koch, at the request of the applicant, announced that he would indefinitely defer the continued public hearing on 2232-Y99-12, AT&T Wireless, from January 20, 2000.

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Commissioner Hall MOVED THAT THE PUBLIC HEARING ON RZ-1999-MA-051 AND SE-99-M-038, LEEWOOD INVESTMENTS, BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 24, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Palatiello absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ-1999-PR-045, VIVIAN JOHNSON, BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 24, 2000.

Commissioners Byers and Hall seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Palatiello absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ-1998-PR-026 AND FDP-1998-PR-026, CHRISTOPHER MANAGEMENT, INC., BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 2, 2000.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Palatiello absent from the meeting.

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#7312-SD-02 - CARRINGTON ESTATES (Lee District)

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION FIND SUBDIVISION PLAN #7312-SD-02 IN FULL COMPLIANCE WITH THE CONDITIONS AND PROFFERS OF RZ-1998-LE-039, CARRINGTON ESTATES, AND ASK STAFF TO NOTIFY THE OFFICE OF SITE DEVELOPMENT SERVICES OF OUR ADMINISTRATIVE APPROVAL.

Commissioners Byers and Koch seconded the motion which carried by a vote of 7-0-2 with Commissioners Downer and Hall abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Palatiello absent from the meeting.

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FS-L99-34 - NEXTEL COMMUNICATIONS, 7150 Hayfield Road

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF PLANNING AND ZONING THAT THE COMMUNICATIONS FACILITY PROPOSED BY NEXTEL COMMUNICATIONS ON AN ELECTRICAL TRANSMISSION TOWER AT THE VIRGINIA POWER HAYFIELD SUBSTATION, LOCATED AT 7150 HAYFIELD ROAD, IS IN CONFORMANCE WITH THE RECOMMENDATION OF THE COMPREHENSIVE PLAN AND BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15-2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Palatiello absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. PCA-1997-SU-027 - FAIRFAX NURSING CENTER, INC
SEA-97-Y-035 - FAIRFAX NURSING CENTER, INC.
2. RZ-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORPORATION
FDP-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORPORATION
3. SEA-79-S-026 - UPPER OCCOQUAN SEWAGE AUTHORITY (Sully)

This order was accepted without objection.

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PCA-1997-SU-027 - FAIRFAX NURSING CENTER, INC. - Appl. to amend the proffers for RZ-1997-SU-027 for previously approved housing for the elderly at a density of 12.24 du/ac and medical care facility w/FAR of 0.25 on property located in the S.W. quadrant of the intersection of Lee Hwy. and Forest Hill Dr. on approx. 17.25 ac. zoned R-3. Comp. Plan Rec: Fairfax Center Area: 2-3 du/ac. Tax Map 56-2((1))61 and 61A (formerly 56-2((1))61). (Concurrent w/SEA-97-Y-035.) SULLY DISTRICT.

SEA-97-Y-035 - FAIRFAX NURSING CENTER, INC. - Appl. under Sect. 3-304 of the Zoning Ord. to amend SE-97-Y-035 for housing for the elderly to permit site modifications on property located on the S. side of Lee Hwy., approx. 1,000 ft. W. of Forest Hill Dr. and on the W. and N. sides of Forest Hill Dr., approx. 500 ft. S. of Lee Hwy. on approx. 8.99 ac. zoned

R-3. Tax Map 56-2((1))61. (Concurrent w/PCA-1997-SU-027.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C., reaffirmed the affidavit dated December 15, 1999. There were no disclosures by Commission members.

Ms. Jacqueline Blue, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Ms. Strobel said the application property, known as the Fair Oaks Senior Campus, had been the subject of three applications which had been approved by the Board of Supervisors on January 26, 1998. She explained that the applicant was requesting approval of minor site modifications to convert an emergency access located at the southern entrance of the site on Forest Hill Drive into a permanent ingress/egress access. She said this would result in an improved circulation pattern and an easily identifiable entrance for the elderly housing component of the development. She noted that the applicant agreed to all proposed development conditions of the Special Exception Amendment with a modification to Development Condition No. 3 substituting "Grading Plan/Tree Preservation and Landscape Plan" for "Generalized Development Plan/Special Exception Plat." She added that the applicant concurred with the deletion of Development Condition No. 14 requiring a sidewalk because the applicant did not want to encourage people to enter the subject property for liability reasons. In conclusion, she noted that the Western Fairfax County Citizens Association had endorsed the applications.

In response to a question from Commissioner Byers, Ms. Strobel said she was not aware of a letter from Mr. Jay Bose, 4401 Forest Hill Drive, Fairfax, concerning the use of Forest Hill Drive by construction vehicles, but said that if the road had been damaged, it would be repaired. (A copy of the letter is in the date file.)

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on these applications. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT PCA-97-SU-027 BE APPROVED, SUBJECT TO THE DRAFT PROFFERS DATED DECEMBER 29, 1999.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Palatiello absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-97-Y-035 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 29, 1999, WITH THE REMOVAL OF CONDITION NO. 14, AND MODIFY NO. 3 TO REFERENCE GRADING PLAN/TREE PRESERVATION AND LANDSCAPING PLANS.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Palatiello absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS REAFFIRM THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AND A WAIVER OF THE BARRIER REQUIREMENTS IN FAVOR OF THAT PROVIDED ON THE COMBINED GDP/SE PLAT AS PREVIOUSLY GRANTED.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Palatiello absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE REQUIREMENT FOR ANY IMPROVEMENTS TO FOREST HILL DRIVE SOUTH OF THE NEW ENTRANCE IN FAVOR OF THOSE PROVIDED IN THE PROFFERS AND THE DEVELOPMENT CONDITIONS.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Palatiello absent from the meeting.

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RZ-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORPORATION - Appl. to rezone from R-1, C-8 and WS to PDH-5 and WS to permit residential development at a density of 5.81 du/ac incl. bonus density for provision of ADUs and approval of the conceptual development plan on property located on the E. side of Shirley Gate Rd., approx. 500 ft. S. of its intersection w/Lee Hwy. on approx. 12.05 ac. Comp. Plan Rec: Fairfax Center Area – Residential 1-5 du/ac. Tax Map 56-2((1))48, 49; 56-2((4))12, 14, 15, 16, 17, 19, and 20. (Concurrent w/FDP-1999-BR-056.) BRADDOCK DISTRICT.

FDP-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORPORATION - Appl. to approve the final development plan for RZ-1999-BR-056 to permit residential development on

property located on the E. side of Shirley Gate Rd., approx. 500 ft. S. of its intersection w/Lee Hwy. on approx. 12.05 ac. zoned PDH-5 & WS. Tax Map 56-2 ((1))48, 49; 56-2 ((4)) 12, 14, 15, 16, 17, 19, and 20. (Concurrent w/RZ-1999-BR-056.)
BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

Mr. John H. Thillmann, agent for the applicant, reaffirmed the affidavit dated January 13, 2000. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Thillmann presented a history of the subject property and described surrounding development. He stated that the site had been the subject of numerous Plan Amendments for commercial office, shopping center and dense townhouse development, with the conclusion that it was not suitable for those uses. He explained that the applicant would preserve part of the old Manassas Gap Railroad located on the site and erect two historical markers. He noted that the proposed 61 single family homes would be known as zero lot line homes. He described the proposed noise barrier to be constructed along both sides of the internal street system. He said a contribution would be made to the Fairfax County Park Authority and that the applicant would contribute 10,000 dollars to the homeowners association for maintenance of the private roads.

At Commissioner Harsel's request, Mr. Thillmann explained the configuration of the affordable dwelling units which he said would look like three large mansion homes as opposed to typical townhouses.

In response to a question from Commissioner Byers, Mr. Thillmann said the private streets would be built to Virginia Department of Transportation standards with parking on both sides of the street. In response to another question from Commissioner Byers, he said that because the proposed development was geared to empty nesters, a large number of school children were not anticipated.

Responding to a question from Commissioner Wilson, Mr. Thillmann explained why the applicant had requested a public street waiver. In response to a question from Commissioner Smyth, he said that the width of the proposed street pavement was 28-30 feet.

At Commissioner Harsel's request, Mr. Thillmann described the layout of the proposed homes.

Chairman Murphy called the listed speaker and recited rules for testimony before the Commission.

RZ-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORP. January 19, 2000
FDP-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORP.

Mr. Zia Hassan, 13827 Springstone Drive, Clifton, representing the owner of parcel 50, requested that the applicant be required to provide transitional screening between parcel 50 and the proposed development. He said that his client planned to develop parcel 50 with a carpet store and did not want to be responsible for providing transitional screening between his property and the residential development.

In response to a question from Commissioner Harsel, Ms. Swagler said that commercial developers were responsible for providing screening when their development abutted residential development. Commissioner Kelso added that even if the applicant was required to provide screening on the residential side, when the C-8 parcel was developed additional screening would still be required.

Mr. Hassan said that if screening were required of the applicant, a waiver would most likely be granted for additional screening at the time his client developed his C-8 parcel. Commissioner Kelso commented that a reduction in the amount of screening might be granted if a masonry wall was provided, but that a waiver would probably not be granted.

In response to a question from Commissioner Byers, Ms. Swagler said that lot 52 was a storage warehouse facility, and that lot 11 was zoned residential and owned by the storage warehouse. She added that it served as their stormwater management facility.

There being no further speakers, Chairman Murphy called upon Mr. Thillmann for a rebuttal statement. Mr. Thillmann declined.

There were no further comments or questions from the Commissioner and staff had no closing remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1999-BR-056, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JANUARY 19, 2000 RECEIVED THIS EVENING.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioners Alcorn and Downer not present for the vote; Commissioner Palatiello absent from the meeting.

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REQUEST FOR A WAIVER OF THE 600 FOOT MAXIMUM PRIVATE STREET LENGTH.

Commissioners Thomas and Byers seconded the motion which carried by a vote of 8-1 with Commissioner Wilson opposed; Commissioners Alcorn and Downer not present for the vote; Commissioner Palatiello absent from the meeting.

RZ-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORP. January 19, 2000
FDP-1999-BR-056 - LANDMARK PROPERTIES DEVELOPMENT CORP.

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE FDP-1999-BR-056, SUBJECT TO THE DEVELOPMENT CONDITIONS FOUND IN APPENDIX 2 OF THE STAFF REPORT DATED JANUARY 5, 2000 AND SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioners Alcorn and Downer not present for the vote; Commissioner Palatiello absent from the meeting.

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SEA-79-S-026 - UPPER OCCOQUAN SEWAGE AUTHORITY -
Appl. under Sect. 3-304 of the Zoning Ord. to amend SE-79-S-026 for sewage pumping facilities to permit an increase in land area and site modifications on property located at 14100 Compton Rd. on approx. 1.92 ac. zoned R-3 and WS. Tax Map 74-2((1))20 pt. SULLY DISTRICT. PUBLIC HEARING.

Mr. Millard Robbins, Executive Director of the Upper Occoquan Sewage Authority, reaffirmed the affidavit dated August 18, 1999. There were no disclosures by Commission members.

Commissioner Koch asked Chairman Murphy to ascertain whether there were any speakers present for this application. Chairman Murphy called for speakers, but received no response. Commissioner Koch therefore requested that presentations by staff and the applicant be waived and the public hearing closed. Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-79-S-026, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 19, 2000.

Commissioners Thomas, Hall and Byers seconded the motion which carried unanimously with Commissioners Alcorn, Downer and Harsel not present for the vote; Commissioner Palatiello absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ON ALL PROPERTY BOUNDARIES TO THAT SHOWN ON THE SE PLAT AND A MODIFICATION OF THE LOCATION OF THE REQUIRED BARRIER ON THE NORTH, EAST AND WEST PROPERTY BOUNDARIES TO THAT SHOWN ON THE SE PLAT.

Commissioners Thomas and Byers seconded the motion which carried unanimously with Commissioners Alcorn, Downer and Harsel not present for the vote; Commissioner Palatiello absent from the meeting.

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The meeting was adjourned at 9:54 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: November 1, 2000

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission